5772. Adulteration and misbranding of Sentinel A & D Vitamin Tablets. U. S. v. 978 Cartons of Sentinel A & D Vitamin Tablets. Default decree of condemnation. Product ordered delivered for use of a local hospital. (F. D. C. No. 12111. Sample No. 61423–F.)

Examination of a sample of this article showed that it was approximately 40 percent deficient in vitamin D.

On April 3, 1944, the United States attorney for the Eastern District of Louisiana filed a libel against 978 cartons, each containing 30 tablets, of Sentinel A & D Vitamin Tablets at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about December 9, 1943, from Cleveland, Ohio, by Forest City Products, Inc.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a valuable constituent, vitamin D, had been in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the following statements appearing on its label, "30 Tablets Each containing * * * 500 U. S. P. Units Vitamin D * * * Each Tablet Contains * * * 500 U. S. P. Units Vitamin D * * * Which is 1¼ times the Minimum Adult Daily Requirement of Vitamins * * * D," were false and misleading as applied to an article which did not contain the represented amounts of vitamin D; in that the statement on its label, "Essential For Health," was misleading since such statement suggested that the article or an article of comparable composition was essential to the health of all individuals; and in that the statement required under the law to appear on the label, namely, the proportion of the minimum daily requirements of vitamins A and D supplied by a specified quantity of the article, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs or devices on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since it was inconspicuously placed on the label in small type on the bottom of the carton.

On June 12, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local hospital for destruction by human consumption on its premises.

5773. Adulteration and misbranding of Watkins 80 Vitamins A-B-D-G Tablets. U. S. v. 10 Dozen Packages of Watkins 80 Vitamins A-B-D-G Tablets. Default decree of condemnation and destruction. (F. D. C. No. 10334. Sample No. 38809–F.)

On August 5, 1943, the United States attorney for the Northern District of Illinois filed a libel against the above-named product at Chicago, Ill., alleging that the article had been shipped in interstate commerce in April 1943, by the J. R. Watkins Co. from Winona, Minn. The article was labeled in part: "Each tablet contains 2,000 U. S. P. Units Vitamin A."

The article was alleged to be adulterated in that a valuable constituent, vitamin A, had been in whole or in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the statement "Each Tablet contains 2000 U. S. P. Units of Vitamin A," borne on the label, and the statements in the labeling which represented that it would increase resistance of the body to infections and promote normal growth; that it would correct poor appetite, dry skin, lowered resistance to certain types of infection, lack of vigor, diarrhea, and digestive disturbances; that it would prevent xerophthalmia, an inflammatory eye disease, and correct night blindness; that it would prevent injury to the nerve tissues, neuritis, and polyneuritis; that it would promote the health of the skin and the mucous membranes; and that it was essential to normal motor, sensory, and central nervous system functions were false and misleading since it contained no significant amount of vitamin A, and since vitamin B_1 and vitamin B_2 in the article were not capable of producing the results claimed in the labeling. It was alleged to be misbranded further in that it purported to be and was represented as a food for special dietary uses, and its label failed to bear such information concerning its vitamin properties as has been determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses, since its label did not state, as prescribed by such regulations, the proportion of the minimum daily requirements for vitamin A, B_1, D and G (B_2) which would be supplied by the article when consumed in a specified quantity during a period of 1 day, and its label failed to state that the need for other factors of the Vitamin B complex, such as pantothenic acid and vitamin B_6, in human nutrition has not been established.

On October 7, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5774. Adulteration and misbranding of Pantabee. U. S. v. 12 Bottles of Pantabee. Decree of condemnation. Product ordered delivered for use by a public institution. (F. D. C. No. 9410. Sample No. 24197–F.)

Biological assay showed that the article contained not more than 250 International Units of vitamin B_1 per capsule.

On February 20, 1943, the United States attorney for the District of Columbia filed a libel against 12 bottles, each containing 50 capsules, of Pantabee at Washington, D. C., alleging that the article had been shipped on or about January 13, 1943, from Richmond, Va., by Charles C. Haskell & Co., Inc.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a valuable constituent, vitamin B_1, had been in part omitted therefrom.

It was alleged to be misbranded in that the statement, "Each capsule contains: Vitamin B_1 . . . 333 International Units," which appeared on the label of the article, was false, since each capsule did not contain 333 International Units of vitamin B_1; and in that it purported to be a food for special dietary uses by reason of its vitamin content, and its label failed to bear such information concerning its vitamin properties as has been determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses, since its label failed to state the proportion of the minimum daily requirement of vitamin B_1 and riboflavin furnished by the quantity of the article customarily or usually consumed during a period of 1 day, or a quantity reasonably suitable for and practicable of consumption during such period; and its label failed to state, as the regulations require, that the need for vitamin B_6 and "filtrate factor" in human nutrition has not been established.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to drugs as reported in the notices of judgment on drugs and devices.

On June 30, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

5775. Adulteration and misbranding of Vitamin B Elixir. U. S. v. 33 Bottles of Hart's Vitamin B Elixir. Default decree of condemnation and destruction. (F. D. C. No. 8173. Sample No. 70908–E.)

This product contained 13.8 milligrams of nicotinic acid per fluid ounce.

On August 24, 1942, the United States attorney for the Northern District of Georgia filed a libel against 33 bottles, each containing ½ pint, of Hart's Vitamin B Elixir, at Atlanta, Ga., alleging that the article had been shipped on or about June 8, 1942, from New Orleans, La., by E. J. Hart and Co., Ltd.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a valuable constitutent, nicotinic acid, had been in part omitted therefrom.

It was alleged to be misbranded in that the label statement, "Each Fluidounce Contains: * * * Nicotinic Acid 20. mg.," was false since the article did not contain 20 milligrams of nicotinic acid per fluid ounce.

It was also alleged to be adulterated and misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices.

On May 6, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5776. Adulteration and misbranding of DPS Formula 50. U. S. v. 120 Bottles of DPS Formula 50. Default decree of condemnation and destruction. (F. D. C. No. 8407. Sample No. 13007–F.)

Examination showed that this product contained 230 micrograms (gammas) of riboflavin per tablet.

On September 26, 1942, the United States attorney for the District of Oregon filed a libel against 120 bottles, each containing 90 tablets, of DPS Formula 50 at Portland, Oreg., alleging that the article had been shipped on or about June 19 and July 9, 1942, from Los Angeles, Calif., by the Dartell Laboratories; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a valuable constituent, riboflavin (vitamin B_2), had been in whole or in part omitted therefrom.